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6 UNITED STATES DISTRICT COURT FOR THE
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 IN THE MATTER OF
10 THE EXTRADITION OF
11 PLAMEN VLADIMIROV TRIFONOV
12 TO BULGARIA

NO. MJ13-480

COMPLAINT IN SUPPORT
OF ARREST WARRANT
(18 U.S.C. § 3184)

I, the undersigned, being duly sworn, state on information and belief that the following is true and correct:

PURPOSE OF COMPLAINT

1. I am seeking an arrest warrant for Plamen Vladimirov Trifonov ("Trifonov" or "the fugitive") pursuant to Title 18, U.S. Code, Section 3184 so that Plamen Vladimirov Trifonov may be extradited to the Republic of Bulgaria where he is wanted to serve an eight year sentence resulting from convictions for human smuggling and negligent homicide.

AFFIANT'S BACKGROUND

2. I am currently a Supervisory Deputy United States Marshal in charge of the Pacific Northwest Violent Offender Task Force. I have been employed by the Marshals Service since November 18th, 1996. I graduated from the Federal Law Enforcement Training Center in March of 1997. I received a BA in Criminal Justice from Washington State University in 1996. A part of my duties has included tracking

1 down fugitives. In that capacity, I have gained substantial experience on how to
 2 compare known information and new information about fugitives, in order to ensure I
 3 have the right person. For example, I routinely identify fugitives by comparing
 4 known, older photographs to recent photographs. Similarly, I will often examine a
 5 fugitive's known personal history, such as country of origin, physical description,
 6 education, family ties, and so on, and then use that information to help find the
 7 fugitive or to compare it to new information I have acquired on the fugitive, and in
 8 that manner verify the identity of the fugitive.

9 **BACKGROUND**

10 3. There is an extradition treaty in force between the United States of America
 11 and the Republic of Bulgaria, signed September 19, 2007, and entered into force on May 21,
 12 2009. S. TREATY DOC. NO. 110-12 (2008).

13 4. Pursuant to the Treaty, the Republic of Bulgaria has submitted a formal request
 14 through diplomatic channels for the extradition of Plamen Vladimirov Trifonov. *See*
 15 Attachment One.

16 5. Trifonov was found guilty in Bulgaria of one count of human smuggling and
 17 one count of negligent homicide, under Articles 279 and 343 of the Bulgarian Criminal
 18 Code. A sentence of eight years of imprisonment was imposed by the Sofia City Court in
 19 2002, and upheld by the Sofia Court of Appeal in 2004. Under Bulgarian law, the conviction
 20 acts as an arrest warrant.

21 6. Through the extradition request, I have learned that the facts underlying
 22 Trifonov's convictions are alleged to involve two human trafficking incidents, which
 23 occurred in 1992 and 1995. In the second incident, eighteen (18) persons from Sri Lanka
 24 died due to lack of oxygen in the cargo chamber of a truck that Trifonov drove from Bulgaria
 25 to Hungary.

26 7. Specifically, on July 23, 1992, Trifonov drove a truck to the customs
 27 checkpoint in Vidin, located on the Romania border, with duly issued Bulgarian customs

1 documents and seals indicating that Trifonov had arrived in Bulgaria with the cargo,
 2 consisting of electrical cables, two days earlier via the city of Bourgas. Customs officers in
 3 Vidin noted that the customs seals were affixed to the truck in such a manner that the truck
 4 doors could be opened without affecting the integrity of the seal and that unusual noises were
 5 emanating from the truck. While inspecting the truck, the customs officers caught sight of a
 6 person within the cargo area of the truck who was visible through a slit in the truck's canvas
 7 covering. The man jumped out of the truck and fell to the ground. The customs officers then
 8 discovered that a total of twenty three (23) undocumented individuals had been concealed
 9 within the cargo area of the truck. Trifonov was detained by Bulgarian authorities but
 10 eventually released.

11 8. About three years later, in July 1995, Trifonov again drove a truck to the Vidin
 12 customs checkpoint, this time with documentation indicating that the truck was carrying
 13 sundry plastic items. Customs officials in Bulgaria found no irregularities and allowed
 14 Trifonov to pass into Romania. While in Romania, Trifonov stopped in the city of
 15 Karansebesh and loaded forty (40) Sri Lankan nationals into the metal cargo area of the
 16 truck. On July 13, 1995, Trifonov entered Hungary via the Hadlak Border Checkpoint. That
 17 day, the cargo area of the truck grew increasingly hot and the air inside the chamber became
 18 increasingly restricted. The passengers of the truck punctured the roof of the truck but were
 19 unable to secure sufficient airflow. At 6:00 p.m., near Budapest, Trifonov opened the door
 20 to the truck and observed that numerous passengers had died. Trifonov promptly abandoned
 21 the truck and the remaining passengers. He then returned to Bulgaria by hitch-hiking.
 22 Police for the city of Gyor, Hungary, subsequently discovered the abandoned truck with
 23 eighteen (18) corpses who were later identified as Sri Lankan nationals.

24 9. Trifonov has a Washington license that lists a date of birth of October 9, 1955.
 25 When U.S. immigration authorities arrested Trifonov in 2006, they recorded his date of birth
 26 as September 10, 1955. There may be a couple of explanations for this discrepancy. First, in
 27 my experience, fugitives will sometimes give a false date of birth to avoid detection.
 28

1 Second, in many European countries, citizens write their dates of birth by listing the day of
 2 month first, followed by the month, then the year. For example, a European would typically
 3 abbreviate a date of birth of September 10, 1955 as 10-9-1955. Indeed, in Attachment One,
 4 page 0005, a correspondence from the Republic of Bulgaria's Ministry of Justice, the
 5 Ministry lists Trifonov's date of birth as "10.09.1955," which I read to mean September 10,
 6 1955. The matter is complicated further, however, by the fact that the Bulgarians'
 7 diplomatic note, page 0004 of Attachment One, lists Trifonov's date of birth as "May 10,
 8 1955." Regardless of these discrepancies, given the factors I discuss here, I have probable
 9 cause to believe that the Trifonov listed in the Washington driver's license is one in the same
 10 person who is wanted for extradition by the Republic of Bulgaria. The Washington
 11 Department of Licensing lists an address of 14342 126th Ave NE Apt A102, Kirkland, WA
 12 98034-7822 for Trifonov. Further, through the United States Postal Service, I have learned
 13 that Trifonov is currently receiving mail at that address.

14 10. I have reviewed a known photograph of Trifonov that was taken by Bulgarian
 15 Officials around the time of his arrest for the above offenses. I have compared that
 16 photograph to Trifonov's current Washington State driver's license photograph. Based on
 17 my training and experience, I am convinced that they are the same person.

18 11. Further, I have learned that Trifonov is facing deportation from the United States.
 19 I have examined a photograph taken by U.S. immigration authorities and the person
 20 photographed appears to be the same person as the person (Trifonov) in the photograph
 21 supplied by Bulgarian authorities. In addition, the U.S. immigration file documents that
 22 Trifonov is a citizen of Bulgaria. Finally, a copy of Trifonov's finger prints was taken during
 23 his March 21, 2006 U.S. immigration arrest. I have compared those fingerprints to the finger
 24 prints provided by Bulgarian Officials and they are a match.

25 12. In summary, I have probable cause to believe that Plamen Vladimirov Trifonov is
 26 currently residing in this district, and that he is the same Plamen Vladimiro Trifonov who has
 27 been charged and convicted in the Republic of Bulgaria of the offenses of human smuggling

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1 and negligent homicide. The Republic of Bulgaria, pursuant to an Extradition Treaty
2 between the United States and Bulgaria, has requested that we execute a warrant for the
3 arrest of Plamen Vladimirov Trifonov. Therefore, pursuant to Title 18, U.S. Code, Section
4 3184, I request that this Court issue an arrest warrant so that the fugitive, Plamen Vladimirov
5 Trifonov, may be arrested and extradited to the Republic of Bulgaria in accordance with our
6 treaty with Bulgaria.

7 Dated this 27 day of September, 2013

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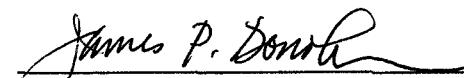
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JAMES ADKINS
Supervisory Deputy United States Marshal
United States Marshal Service

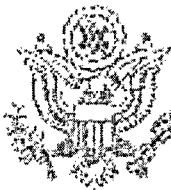
Sworn to before me and subscribed in my presence this 27th day of September 2013, AND A
WARRANT SHALL ISSUE.


JAMES P. DONOHUE
United States Magistrate Judge

Attachment One

13045235-2

United States of America



DEPARTMENT OF STATE

To all to whom these presents shall come, Greetings:

Know Ye That Julie B. Martin, whose name is subscribed to the document hereunto annexed, was at the time of subscribing the same Attorney Adviser, Office of the Legal Adviser, Department of State, United States of America, and that full faith and credit are due to her acts as such.

This certificate is not valid if it is removed or altered in any way whatsoever

In testimony whereof, I, John F. Kerry, Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Assistant Authentication Officer, of the said Department, at the city of Washington, in the District of Columbia, this first day of August, 2013.

A handwritten signature of John F. Kerry in black ink.

John F. Kerry
Secretary of State

By Julie B. Martin
Assistant Authentication Officer,
Department of State

Issued pursuant to CHXIV, Statute of 1799, 1 Stat. 68-69, USC 2651a; 5 U.S.C. 301; 28 U.S.C. 1733 et. seq.; 8 U.S.C. 1443(f); 44 Federal Rules of Civil Procedure.

DISTRICT OF COLUMBIA, ss:

DECLARATION OF JULIE B. MARTIN

I, Julie B. Martin, declare and say as follows:

1. I am an Attorney Adviser for the Office of Law Enforcement and Intelligence in the Office of the Legal Adviser for the Department of State, Washington, D.C. This office has responsibility for extradition requests, and I am charged with the extradition case of Plamen Vladimirov. I make the following statements based upon my personal knowledge and upon information made available to me in the performance of my official duties.

2. In accordance with the provisions of the extradition treaty in full force and effect between the United States and Bulgaria, the Embassy of the Republic of Bulgaria has submitted a request for the extradition of Plamen Vladimirov through diplomatic note No. 48, dated May 23, 2013. A copy of the diplomatic note is attached to this declaration.

3. The relevant and applicable treaty provisions in full force and effect between the United States and Bulgaria are found in the Extradition Treaty between the Government of the United States of America and the Government of the Republic of Bulgaria (the Treaty), signed on September 19, 2007, which entered into force on May 21, 2009. A copy of the Treaty is attached to this declaration.

4. In accordance with Article 19 of the Treaty, the Government of the United States of America represents the interests of the Government of the Republic of Bulgaria in

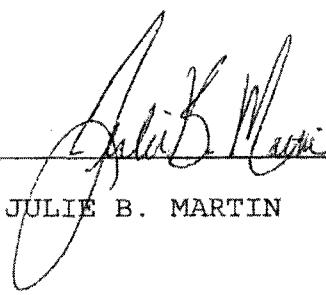
proceedings in U.S. courts in Bulgaria's extradition requests, and the Government of the Republic of Bulgaria provides similar representation in its courts with respect to extradition requests made by the United States.

5. The offenses for which the extradition of Plamen Vladimirov is sought are covered by Article 2 of the Treaty.

6. Pursuant to Article 9 of the Treaty, documents that bear the certificate or seal of the Ministry of Justice, or Ministry or Department responsible for foreign affairs, of the Requesting State are admissible in extradition proceedings without further certification, authentication or other legalization. Therefore, such documents satisfy the authentication requirements without the need for certification by the U.S. Embassy in Sofia. The Government of the Republic of Bulgaria, in submitting documents in the instant case that bear the certificate or seal of the Ministry of Justice, has complied with the Treaty with respect to authentication.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

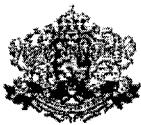
Executed on August 1, 2013.



JULIE B. MARTIN

Attachments:

1. Copy of note
2. Copy of treaty



EMBASSY OF THE
REPUBLIC OF BULGARIA
Washington D.C.

2013 MAY 23

Ref.# 48

May 23, 2013

The Embassy of the Republic of Bulgaria presents its compliments to the United States Department of State and has the honour to submit, enclosed herewith, a request for extradition to Bulgaria from the territory of the USA of the Bulgarian national PLAMEN VLADIMIROV TRIFONOV, born on May 10, 1955, in accordance with the Treaty for Extradition between the Government of the Republic of Bulgaria and the United States of America.

The Embassy kindly requests the assistance of the Department of State in forwarding the enclosed papers to the United States Department of Justice for further action.

The Embassy of the Republic of Bulgaria to the United States of America avails itself of this opportunity to renew to the Department of State the assurances of its highest consideration. *✓*

Encl.: as above.

THE UNITED STATES DEPARTMENT OF STATE
WASHINGTON, D.C.





REPUBLIC OF BULGARIA
MINISTRY OF JUSTICE

Ref. № 99-H-E-174/12 dated 19.03.2013
(Please quote)

U.S. DEPARTMENT OF JUSTICE
CRIMINAL DIVISION
OFFICE of INTERNATIONAL AFFAIRS
Washington, D.C 20530

SUBJECT: Request to the United States of America for the extradition to Bulgaria from the territory of the United States the Bulgarian national PLAMEN VLADIMIROV TRIFONOV, born on 10.09.1955, according to the Treaty for extradition between the Government of the Republic of Bulgaria and the United States of America.

The Ministry of Justice of the Republic of Bulgaria presents its compliments to the Department of Justice of the United States of America and on behalf of the Prosecutor general of the Republic of Bulgaria has the honor to send to you the request for extradition of the Bulgarian national PLAMEN VLADIMIROV TRIFONOV and the supporting documents as prescribed in the Treaty for extradition between the Government of the Republic of Bulgaria and the United States of America.

Plamen Trifonov has been found guilty for offences under Article 279, Paragraph 1, in connection with Article 20, Paragraph 4, in connection with Article 18, Paragraph 1, in connection with Article 2, as well as to Article 343, Paragraph 2, letter "b", in connection with Article 343, Paragraph 1, letter "c", in connection with Article 4 of the Penal Code of the Republic of Bulgaria.

The above mentioned person is sentenced to a total punishment of 8 years of imprisonment and a fine in the amount of 3 000 BGN with a Verdict № 192/13.09.2002, pronounced on Criminal Case of General Case № 688/1998, as per the list of the Sofia City Court, confirmed by a Decision № 30/21.07.2004 on Appellate Criminal Case of General Nature № 853/2003, as per the list of Sofia Court of Appeal, entered into force on 18.07.2005.

In consideration of the above stated we would like to kindly ask you to notify us about your approach to the request for extradition of the Bulgarian citizen Plamen Vladimirov Trifonov.

The Ministry of Justice of the Republic of Bulgaria avails itself of this opportunity to renew to the Department of Justice of the United States of America the assurances of its highest consideration.

**DIRECTOR OF INTERNATIONAL LEGAL CO-
OPERATION AND EUROPEAN AFFAIRS
DIRECTORATE:**

BORISLAV PETKOV